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1961/05/19

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Viet-Nam

May 18, 1961

MEMORANDUM FOR MR. BUNDY

SUBJECT: South Viet Nam: Agency Comments on NSC Action Memorandum No. 52

At the meeting of the Viet Nam Task Force on Wednesday, May 17, the Task Force discussed NSC Action Memorandum No. 52 in anticipation of any discussion that might occur at the NSC meeting on Friday, May 19. The following major points were made:

1. In response to inquiry I indicated that I did not believe that the subject of funding would come up for discussion. Only revisions in the memo were to be discussed and the memo provided (par. 11) that the President reserved judgment on the proposed funding.

2. The State representative argued that the Action Memorandum seemed to give Presidential approval to the recommendations in certain pages of the report but did not clearly indicate that this approval was an approval in principle and was subject to further clearance in Washington and the field as to the details. He indicated that State had attempted to have such an understanding written into the report; the result had been an indication in the report's "Concept of Operation" that the U. S. Ambassador was to be given "general authority" to undertake the actions listed in the report. This had not, however, been reflected in the Action Memorandum.

3. State argued that paragraph 7 should be revised to read as follows in accordance with an agreement which it said had been reached between Mr. Alexis Johnson and Mr. Gilpatric:

"7. Urgent consideration should be given to the possibility of a new military bilateral arrangement with Viet Nam, but no firm commitment will be made to such an arrangement without further review by the President."

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E.O. 11652, Sec. 3(E) and 5(D) or (E)
NSC 2/18/76 MR-74-3
By MFD NARS, Date 4/18/75

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As a result of my conversations with you and Mr. Smith yesterday, I urged State to attempt to determine whether agreement could be reached with Defense on these two issues. I pointed out that if the problem was simply one of language and not of substance it should not be raised in the NSC, but could be reflected in an understanding, which, if necessary, could be incorporated in a revision of the Action Memorandum. I have just been informed by Mr. Cottrell, the Task Force Director, that, as a result of their briefing session with Mr. Bowles, State has decided not to nit pick the Action Memorandum itself, but rather to show the President, or refer to, a message which State and Defense would send to Saigon indicating: (a) that the decisions by the President in detailed implementation allowed for revisions, and (b) that Ambassador Nolting should not begin working on a bilateral agreement, pending further consideration and instructions. Alexis Johnson is asking Mr. Gilpatric's agreement to this formula.

If State and Defense reach agreement on this formula, it would require reference in the Council meeting to the procedural problem, but presumably would involve no discussion. Defense, at the staff level, agreed yesterday to such an approach.

Robert H. Johnson

Attachment

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ADDITIONAL POINTS MADE AT MEETING
OF VIET NAM TASK FORCE ON WEDNESDAY, MAY 17, 1961

1. Mr. Cottrell noted that Assistant Secretary Leddy would not be available to head the high-level team which will go to Saigon to work out a plan to deal with fiscal and economic problems. He stated that he was exploring alternative possibilities and was now thinking in terms of bringing in some one from outside the Government to head the team. (He specifically mentioned Professor Mason*.) Ex-Ambassador Durbrow, who was present, said that Diem would want to hire "his own man". Mr. Cottrell pointed out that the Vice President, in his conversation with Diem, had made it clear that the team would have to be a U. S. Government team. Mr. Cottrell felt that perhaps the fact that the head of the team would be from outside the Government would make it more acceptable to Diem. Mr. Durbrow did not seem to concur fully.

2. There was general agreement that the team should consist of representatives from the government agencies most concerned, but could be headed by someone from outside the Government. It also seemed to be agreed that the team should carefully work out its objectives in advance of its departure for Saigon and should go to Saigon with a definite plan. It should not be in the position of having Diem tell it what was required. (Mr. Cottrell indicated that he may call upon Mr. Rostow to request the services of whoever is selected from outside the Government.)

3. There was some discussion of the handling of the restrictions of the Geneva Accords in relationship to plans for introducing additional U. S. military personnel into South Viet Nam. In the course of authorizing the dispatch of 93 personnel to South Viet Nam last weekend, Secretary Rusk stated (SECTO 111 of May 14) that it was his recollection that it had been agreed that there would be no public statement regarding revocation of our voluntary adherence to the Accords. We (and the GVN) would state that we were not bound by them only if our actions were challenged by the ICC. It was the view of Ambassador Nolting, however, that, before we were tagged with a violation we should get the Diem Government to issue a statement indicating that it no longer considers itself bound by Articles 16 and 17 of the agreements covering Viet Nam. Mr. Cottrell indicated that State was attempting to develop a view on this subject. State hoped that it would

* I pointed out to him privately that Professor Mason was probably going to be involved in another government mission and that he was not a "fiscal" expert.

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EO 12356 Sec. 3.4
NLK-93-65
By SF NARA, Date 11/5/93

be possible to limit the action to Articles 16 and 17. (These articles deal with the introduction of additional military personnel, arms and munitions.)

4. The general approach being considered is to get the Diem to send a statement to the ICC indicating that the GVN no longer considers itself bound by these articles. The statement would be published simultaneously and the U. S. would issue an immediate statement in support of it. Mr. Cottrell indicated that there was some feeling of reluctance in some parts of State about moving ahead in this way because of the possible effects of such action on the present Geneva Conference.

> Comment: I have not been able to find anything in the record to confirm or to deny Secretary Rusk's recollection of the understanding on this point. Was there an understanding? Won't the timing of any announcement now have to be most carefully related to the status of the Geneva negotiations? I am inclined to think that the Secretary's approach is to be preferred at the present stage.*

5. Reference was made to legal opinions in ICA and State which are preventing the transfer of a $2.5 million appropriation for the Vietnamese Civil Guard from ICA to the military. It was suggested that perhaps the lawyers' scruples could be satisfied by reporting the action to appropriate Congressional Committees, pointing out the emergency character of the situation and the fact that responsibility for the training program had been transferred from ICA to Defense. The Deputy Task Force Director is looking into the matter.

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* I have asked Mr. Cottrell to keep us informed of any major developments on this issue because I think it is of such importance that any new decision should probably be reviewed by the President.